

From: "Lori Gonzalez" <lgonzalez@bartdurham.net>
To: <janice.rawls@tncourts.gov>
Date: 5/25/2012 8:37 AM
Subject: TN Courts: Submit Comment on Proposed Rules

Submitted on Friday, May 25, 2012 - 8:36am
Submitted by anonymous user: [65.13.250.190]
Submitted values are:

Your Name: Lori Gonzalez

Your email address: lgonzalez@bartdurham.net

Rule Change: Supreme Court Rule 42 - Standards for Court Interpreters

Docket number: M2012-01045-RL2-RL

Your public comments: An advisory comment or some other language should be added to emphasize that this amendment specifically allows for interpreter costs to be paid by the AOC in civil court hearings as defined. I personally have spoken with some of the private bar who read the proposed rule as written and did not see the change as made and suggested that the rule was the same as before. Because of the major change in both rules, and more importantly, change in actual procedures that this rule hopes to bring about, additional comments or language emphasizing the civil hearing application would be helpful.

The results of this submission may be viewed at:
<http://www.tncourts.gov/node/602760/submission/2694>

From: "Heather Hayes" <info@uscourtinterpreter.com>
To: <janice.rawls@tncourts.gov>
Date: 5/27/2012 2:28 PM
Subject: TN Courts: Submit Comment on Proposed Rules

Submitted on Sunday, May 27, 2012 - 2:28pm
Submitted by anonymous user: [67.212.250.144]
Submitted values are:

Your Name: Heather Hayes
Your email address: info@uscourtinterpreter.com
Rule Change: Supreme Court Rule 42 - Standards for Court Interpreters
Docket number: No. M2012-01045-RL2-RL
Your public comments:
Please find below my comments on the Supreme Court Rules re interpreters

Section 7

(a) Why should interpreters of languages other than Spanish be eligible to receive greater compensation? This is absolutely shocking. We are all carrying out exactly the same duties, at the same level of expertise and effort. This could easily be seen to be discriminatory, at many levels, and even a violation of federal law (rate of pay according to linguistic, ethnic or cultural origin, for example). If the State of Tennessee requires from me that I take the same oath as that administered to interpreters of languages other than Spanish, and if I am to carry out the same duties as those non-Spanish-language interpreters, then OBVIOUSLY we must legally be compensated at the same rate.

Also, this practice means that interpreters whose ability has not been proven (if no certification exam exists for a less common language) stand to be paid MORE than interpreters who have MET STATE CERTIFICATION REQUIREMENTS for judiciary interpreters. This is ridiculous and unfair.

(e) No travel time to be paid? This is tantamount to unpaid labor, unless it is the State of Tennessee's assertion that interpreters travel by de-molecularization, miraculously and instantaneously beaming themselves to assignment locations.

The only reason for an interpreter to travel to an assignment, and to assume all of the associated risks, is to carry out the interpretation assignment itself, and to make possible the court's communication with a party (that is, the court's fulfillment of a party's constitutional right to be present). Therefore, travel is PART OF the assignment itself. If the State wishes not to pay for interpreter travel, then the courts must carry out all hearings needing interpreters via electronic means. However, since this is neither plausible nor practical, travel for interpreters becomes a requirement: it is not the whim of that interpreter to do some sightseeing on route to a court. It is completely unreasonable of the State not to compensate these professionals for their time.

Does the State not provide payment for travel time with regard to attorneys, judges, experts, and others who are not on salary?

Also, currently, TNAOC invoicing requirements for interpreters are so complex and time-consuming that adding yet another requirement (additional motions

for compensation for travel time) unduly and unnecessarily burdens interpreters and others involved in the process.

The results of this submission may be viewed at:
<http://www.tncourts.gov/node/602760/submission/2697>

From: "Wei Ralph" <ralphfamily@comcast.net>
To: <janice.rawls@tncourts.gov>
Date: 5/27/2012 12:06 PM
Subject: TN Courts: Submit Comment on Proposed Rules

Submitted on Sunday, May 27, 2012 - 12:05pm
Submitted by anonymous user: [69.137.66.172]
Submitted values are:

Your Name: Wei Ralph
Your email address: ralphfamily@comcast.net
Rule Change: Supreme Court Rule 42 - Standards for Court Interpreters
Docket number: No. M2012-01045-RL2-RL - Filed: May 18, 2012
Your public comments:
To Whom It May Concern,

As a spoken foreign language interpreter for languages other than Spanish, I want to point out to you that your newly proposed limitation on cost of interpreter services will create a harsh environment for individual with LEP. This is especially true if a person's life and death is at stake. Quality of service is directly co-related to cost of services that State of Tennessee is willing to pay. Careless cost cutting in hourly rates is taking away necessary incentives for qualified individuals to stay in the TN system.

Travel time is a necessary component to provide services. For rare languages, due to lack of statewide qualified interpreter, one may required to go from one part of the state to another. Travel time can be a large part of the overall process of providing service. It must be compensated to be fair to the provider. Certified Court Interpreters is a product of unique cultural background, advanced education, professionalism, hard work, investment of time, money and efforts as well as continuing education and training. Certified rare language court interpreter in the state of Tennessee typically holds full time jobs in other professions due to lack of full time needs for services. However, when needs does arrive, one must be ready to assist. Daily skill maintenance, routine and updated professional networking and training and dedication to stand ready are trademarks of qualified interpreter.

Does State of Tennessee AOC wish to recruit and maintain teams of qualified and dedicated court interpreters who are prepared and ready to take on the next assignment assisting the court system for a just and fair decision in cases involving individual with LEP?

If the answer is yes, State of Tennessee AOC must remove the newly proposed limitation on cost of interpreter services and travel time compensation to allow qualified and dedicated court interpreters stay in the system.

If the answer is no, State of Tennessee AOC is willing to compromise the court system in cases involving individual with LEP, then, be prepared for quality and standards of court interpreters to drop and free fall.

It is my hope that State of Tennessee AOC will maintain current cost of service rules and not rushes into decision which can compromise its court system.

Regards,
Wei Ralph, MBA-Accounting,

Certified Mandarin Chinese Court Interpreter-TN, AL,
Thru Reciprocity : NC, OH, KY, IN, MO, MS. WV. VA
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The results of this submission may be viewed at:
<http://www.tncourts.gov/node/602760/submission/2696>
